

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **Mary Annette Czewski v Daniel Earl Durkee**  
Docket No. **260918**  
L.C. No. **01-002894-DM**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal, motions for immediate consideration, motion for peremptory reversal, and motion to supplement brief in support of motion for peremptory reversal are DISMISSED for lack of jurisdiction because there is not at this point a MCR 7.202(6)(a) final order. There is no MCR 7.202(6)(a)(i) final order because the trial court vacated, by timely motion, most of the judgment of divorce entered in the case. Since that time the trial court has not resolved many of the matters that had been vacated. As such, not all the rights and liabilities of the parties have been adjudicated as required by MCR 7.202(6)(a)(i). There is no MCR 7.202(6)(a)(iii) final order because the order must be a postjudgment order. Since there is no effective judgment at this point, the order cannot be a postjudgment order. Any appeal must be by application for leave to appeal at this point.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 3 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk